GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

The A.P. Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986) – Order of detention made by the Collector and District Magistrate, Krishna District, Machilipatnam in respect of **Sri Annam Sambasiva Rao @ Samba, S/o Rama Rao, aged 28 years, Gosaveedu Village, Gampalagudem Mandal, Krishna District, Andhra Pradesh State** – Confirmed Orders – Issued.

GENERAL ADMINISTRATION (SC.I) DEPARTMENT

G.O.RT.No. 1665 **Dated: 26-10-2020.**
Read the following:-

1. From the Collector and District Magistrate, Krishna District, Machilipatnam Progs No. C1/94/M/2020, Dt:03.09.2020.
2. G.O.Rt.No.1429, G.A.(SC.I) Dept., dated 11.09.2020
3. Govt. Letter No.1227090-GAD01 LOOACTS(PDAA)/23/2020/ SC.I/A3-2, Dated:22.09.2020.
4. Govt.Memo.No:1227090-GAD01-LOOACTS(PDAA)/23/2020/SC.I/A3-3, Dated:13.10.2020
5. From the Advisory Board Report Dated: 15.10.2020.

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ORDER:

WHEREAS, the Collector and District Magistrate, Krishna District, Machilipatnam has made an order of detention, vide reference first read above under Section-3(2) r/w Section 2(b) of the Andhra Pradesh Prevention of Dangerous Activities of Bootleggers, Dacoits, Drug Offenders, Goondas, Immoral Traffic Offenders and Land Grabbers Act, 1986 (Act No.1 of 1986), against **Sri Annam Sambasiva Rao @ Samba, S/o Rama Rao, aged 28 years, Gosaveedu Village, Gampalagudem Mandal, Krishna District, Andhra Pradesh State** who is a potential habitual Bootlegger, illegally transporting the Tobacco products and NDO liquor from various places of Telangana state to Andhra Pradesh State and selling the same in Gampalagudem area of Nuzvid Police Sub-Division, Krishna District for his unlawful gain which are negligent and malignant acts likely to spread infections, harmful and dangerous to public life as it is noxious food or drink, and this activities are prejudicial to the maintenance of public order.

2. AND WHEREAS, the Government have accorded approval of the said detention order under sub-section (3) of Section 3 of the Act, vide Government Orders second read above;

3. AND WHEREAS, under Section 10 of the Act, Government within three weeks from the date of detention of a person under the order shall place the case before the Advisory Board on Preventive Detentions, constituted under Section 9 of the said Act, comprising of Justice Sri T.L.N. Reddy (Retired), Chairman and one Member of the Advisory Board shall submit its report to Govt., within seven weeks from the date of detention under Section 11(1) of the said Act. The above said case was placed before the Advisory Board for its consideration and to submit its report to Government, under Section 11 (1) of the said Act, vide reference 3rd read above. But due to the Covid-19 pandemic situation and due to lockdown conditions in the Central and States, the case was reviewed by the Advisory Board on 15.10.2020 through video conference. After having heard the detenue, besides his father, Sri Rama rao, and the Investigating Officers, who have been attended the Video Conference and also upon perusing the grounds of detention and the connected records, the Advisory board has reported unanimously that in its opinion, "there is sufficient cause for the detention of the detenue, **Sri Annam Sambasiva Rao @ Samba, S/o Rama Rao, aged 28 years, Gosaveedu Village, Gampalagudem Mandal, Krishna District, Andhra Pradesh State".**

(PTO)

4. AND WHEREAS, the Government on careful examination of the entire record and the opinion of the Advisory Board, has observed that the detenue, **Sri Annam Sambasiva Rao, S/o Rama Rao,** is found to be involved in as many as in Twenty(20) cases mentioned in the grounds of detention. All the instances mentioned above clearly establish that he is a habitual offender and his activities are habitual in nature and prejudicial to the maintenance of public order, which are registered under various provisions of Sections 420, 270, 273, 328 r/w 34 IPC and Sec.5 & 22 of Cigarette & Tobacco Product Prohibition of Advertisement & Regulation of Trade and Commerce Protection & Supply Distribution Act-2003; u/s 34(A), 34(1)(a)(i) AP Excise Amendment Act 2020. The details shows that he is a habitual offender. He is not having any respect towards Law and Justice and continued his criminal activities and there will be no change in his attitude even though number of cases registered against him. The said offences are punishable under Chapter XVI of IPC. As such the activities of the individual falls under and within the meaning of 'Bootlegger' as defined under section 2(b) of Act 1 of 1986. The detaining authority having taken into account and consideration of indulgence of the detenue in the above said activities repeatedly at regular intervals and having satisfied that the penal laws have failed to curb his illegal activities, has passed the detention order against the detenue by invoking the provisions under the Act 1 of 1986, in order to prevent him from indulging further in such activities, which are prejudicial to maintenance of public order. The Advisory Board after review of the case, has opined that there is sufficient cause for the detention of the detenue. As such, the detenue deserves the maximum period of detention, as provided under Section 13 of the Act;

5. Now, therefore, after due consideration of the report of the Advisory Board and the material available on record, Government, in exercise of the powers conferred under sub-section (1) of Section 12 read with Section 13 of the said Act, hereby confirm the Order of Detention made by the Collector and District Magistrate, Krishna District, Machilipatnam in the reference 1st read above, as approved in the G.O. 2nd read above and direct that the detention of **Sri Annam Sambasiva Rao @ Samba, S/o Rama Rao, aged 28 years, Gosaveedu Village, Gampalagudem Mandal, Krishna District, Andhra Pradesh State** be continued for a period of 12 (Twelve) months from the date of his detention, i.e. 04.09.2020.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

NILAM SAWHNEY
CHIEF SECRETARY TO GOVERNMENT

To

Sri Annam Sambasiva Rao @ Samba, S/o Rama Rao, aged 28 years, Gosaveedu Village, Gampalagudem Mandal, Krishna District, Andhra Pradesh State through the Superintendent of Jails, Central Prison, Rajamahendravaram, East Godavari District .

The Superintendent of Jails, Central Prison, Rajamahendravaram, East Godavari district.(He should serve the order on the detenue immediately under proper acknowledgement and arrange to read over and explain the contents of the same in the language known to him and report compliance to Government forthwith).

The Collector and District Magistrate, Krishna District, Machilipatnam.

The Superintendent of Police, Kishna.

Copy to:

The Director General of Police, A.P., Mangalagiri, Guntur District.

The Director General of Prisons and Correctional Services, A.P., Vijayawada.

The Inspector General of Police (Intelligence), A.P., Vijayawada.

The Special Government Pleader, Attached to Learned Advocate General, A.P. High Court, High Court Buildings, A.P., Amaravathi.

SC/SF.

//FORWARDED::BY ORDER//

Section Officer (SC)